

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff

vs.

No.: 17-CR-3057-WJ

VERONICA RODRIGUEZ ARMENDARIZ,

Defendant.

DEFENDANT'S SENTENCING MEMORANDUM

Veronica Rodriguez Armendariz, by and through her attorney, Sylvia Baiz, Assistant Federal Public Defender, files the following sentencing memorandum.

On August 3, 2018, Ms. Rodriguez pled guilty to count 1 of the indictment charging her with conspiracy to distribute cocaine in violation of 21 U.S.C. 846. She is charged with a conspiracy involving her husband Hector Ceballos who has already pled guilty as well.

A. Background

Ms. Rodriguez, a forty-three year-old woman, who although not a legal resident of the United States, has lived in this country for 13 years. Ms. Rodriguez and her husband have two children Hector (age 13) and Stephania (11 years old), both the children are U. S. Citizens having been born in Texas and New Mexico. See exhibit A, birth certificates of the children filed separately under seal. Both children are also in special education

programs at their schools. See exhibit B, filed separately under seal. Hector the oldest has a speech impediment as well as very low reading and math skills. Moreover, he has a curvature in his back that must be monitored every six months. Stephania is also in special education classes due to her low reading and math skills as well.

As is noted in the letter from her parents, Ms. Rodriguez has always been a very hard worker and paid her own way through school, including having obtained a Bachelor's Degree in Business Administration in Mexico. See exhibit C, letters and photos from family members, filed separately under seal.

B. Sentencing Recommendation/Request

Ms. Rodriguez has no prior convictions although she was charged in state court with concealing her identity in 2009, but was acquitted. Ms. Rodriguez is very sorry for having become involved in the instant case. In this case, she was aiding her husband in the conspiracy to distribute cocaine. However, she never actually sold any drugs. She principally helped him package the drugs.

To the present date, Ms. Rodriguez cannot believe that she became involved with drugs. In a very misguided way, she believed that this was the way to help her family out of some dire financial straits. She principally was a stay a home mother taking care of the children and the family's needs, but became involved when the family could no longer survive with just the husband's wages. She is extremely remorseful for her conduct in this case.

In this case, as both parents were arrested and the children were left without even one parent. Mr. Ceballos, Ms. Rodriguez's husband of 15 years, admitted his involvement

from the beginning when he was arrested and interviewed by agents. As well, Ms. Rodriguez admitted her involvement when she was first arrested by the state in April, 2017. All the couple has ever wanted from the beginning was to take responsibility for the offense so that Ms. Rodriguez, who is the most employable and has taken care of all of the children's educational and medical needs, would not have to suffer along with him in prison at length while their two children were left alone. Their children require both medical and education assistance without which they will continue to fall further behind in their development.

Thus, the government and both defense counsel for Ms. Rodriguez and Mr. Ceballos reached a global disposition of the underlying case to reach a fair resolution of the case. Mr. Ceballos would take the brunt of the time in prison for the couple's transgressions and Ms. Rodriguez would also plead guilty, but get a much shorter sentence so that she could return to the children.

Both defendants will be deported once their case is resolved and their sentences are completed. Ms. Rodriguez plans to re-establish herself in Mexico, seek employment and take care of the children in Mexico where the family will await the return of Mr. Ceballos at a later date. She respectfully requests a time-served sentence.

II. CONCLUSION

Counsel urges the Court to sentence Ms. Rodriguez to a sentence of time-served pursuant to the plea agreement as that is sufficient to meet all of the §3553(a) factors in this case.

I HEREBY CERTIFY THAT on the
21st day of September 2018, I filed the
foregoing electronically through the
CM/ECF system, which caused AUSA
Sammy Hurtado to be served
by electronic means, as more fully
reflected on the on the Notice of
Electronic Filing.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER
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/s/ [Electronically filed]
SYLVIA A. BAIZ, AFPD
Assistant Federal Public Defender